UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.249
15 March 1994

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Thirteenth session

SUMMARY OF THE 249th MEETING

Held at Headquarters, New York,
on Friday, 28 January 1994, at 10 a.m.

Chairperson: Ms. CORTI

CONTENTS

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Statement by the Coordinator for Women's Affairs of the United Nations Educational, Social and Cultural Organizations (UNESCO)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Office of Conference Services, room DC2-794, 2 United Nations Plaza.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Japan (CEDAW/C/JPN/2 and 3)

1. At the invitation of the Chairperson, Ms. Matsubara (Japan) took a place at the Committee table.

2. The CHAIRPERSON invited the members of the Committee to resume their consideration of the second periodic report of Japan.

3. Ms. SCHOPP-SCHILLING urged the reporting State to make use of the extensive experience available in women's and other non-governmental organizations in order to promote the advancement of women, and to provide more analytical and comparative data on obstacles impeding the implementation of the Convention. With regard to article 3 of the Convention, she requested further information on how the Government intended to achieve the goals set for bringing women into advisory bodies. The next report should describe the national machinery involved, procedures used and success achieved in that area.

4. Referring to article 6 of the Convention, she fully supported the views expressed by previous speakers about prostitutes and comfort women and agreed that it was an affront to the dignity of the former comfort women to have to go to court individually in order to obtain compensation. Having admitted its involvement with regard to comfort women during the war and apologized to the women concerned, the next logical step was for the Government to provide compensation to all concerned. Such a measure, which would demonstrate respect for the dignity of the comfort women themselves and women in general, would be both practical and symbolic.

5. More information should be provided on prostitution in Japan, particularly with regard to the reasons why it was so prevalent, the forced prostitution of foreign women, pornography as well as the private bars and the number of women employed in them and their employers. The next report should include an in-depth study on prostitution, sex tourism, the relationship between prostitution and crime, shelters for prostitutes and battered women, as well as the problem of violence against prostitutes and its underlying causes. The Government should also explain what policy measures it intended to take in those areas.

6. Turning to article 11 of the Convention, she said that Japanese legislation on equal employment opportunities showed a lack of understanding of the issue of indirect discrimination. Japanese employers were practising indirect discrimination against women and that should be combatted. She urged the Government to take advantage of the extensive knowledge of non-governmental organizations in that field in order to improve its national legislation on the question. The reporting State should provide more information on child-care and family-care leave, indicating who paid for it, the size of payments and what obstacles there were to prevent men from taking child-care leave.

(Ms. Schopp-Schilling)

7. The Japanese Government should study the issue of compatibility of family responsibilities and employment and devise new mechanisms to prevent women from being placed in part-time or low-wage work simply because they had to assume family responsibilities. In some developed countries, policies had been instituted to encourage companies to take into account the skills which women gained when they interrupted their employment to take up family responsibilities. It was incorrect to believe that such women lost employment skills, and they should not be placed in low-wage tracks with no promotion possibilities. In that connection, she urged the Government to begin a dialogue with Japanese companies in order to make best use of their human resources, both women and men. Pressures placed on the workforce in Japan would in the long run also have a negative impact on profits. The entire issue must be rethought and the Government should take note of what was being done in that regard in other highly industrialized countries.

8. Referring to article 12, she inquired why prostitutes working in private bars were not informed of the results of the medical tests that they had to take and whether they were forced to undergo such testing. The Government should indicate what it intended to do about that situation and also provide information on the procedures for cervical-cancer screening. Lastly, she commended the Japanese Government for the recent progress made in the implementation of article 16 of the Convention and urged it to continue along that path.

9. Ms. OUEDRAOGO said that the reporting State should give much more attention to evaluating programmes for rural women and make adjustments where necessary. Rural women should be involved in programme design in order to ensure maximum success. She noted with satisfaction that national machinery to promote the advancement of women had been set up in the Ministry of Labour since that made it possible to take special measures to ensure equality between men and women. Lastly, she urged the Government to ensure social protection for minority groups, such as disabled women, teenage mothers and prostitutes, in order to guarantee their social and economic advancement.

10. Ms. NIKOLAEVA said that the Japanese Government should not have submitted its third periodic report before the Committee had considered its second report. The Committee followed clear procedures in its work. The idea was that a reporting State should be informed of the Committee's views and comments with regard to one report and take them into consideration in drawing up the next report. Such undue haste on the part of the Japanese authorities served no purpose and was even counterproductive.

11. The Committee gave very serious consideration to the views of Japanese women's organizations concerning the Government's efforts to implement the Convention and improve the situation of women. While there was a high level of economic development in Japan, the questions of the equality and dignity of women must be fully taken into account. According to letters and reports she had received from Japanese women and women's organizations, the second periodic report was not balanced and neglected to answer questions raised earlier by the Committee on a number of articles of the Convention. They further indicated that the Government had not consulted with women's organizations in drawing up

(Ms. Nikolaeva)

the report and that the employment conditions of women in Japan did not correspond to the country's economic position. The Government had failed to provide information on women's awareness of their rights and legislation on employment and discrimination. The letters and reports also indicated that women in Japan were subjected to violence and that the Government had taken no special measures to ensure their career advancement. The Committee must take full account of those views in evaluating the efforts of the Japanese Government to improve the situation of women.

12. She could not understand why the Government had such a negative attitude concerning article 11 of the Convention. The difference between the salaries of men and those of women in Japan was very great. The Government should simply admit that there were problems and indicate what it was doing and intended to do in order to deal with them. Japan and Japanese society had achieved a great deal and served as an example in many respects to the international community. That was all the more reason for the Government to comply fully with its obligations under the Convention. The Committee, for its part, must carry out its work objectively, drawing attention to positive as well as negative aspects.

13. Ms. MAKINEN, referring to article 4, asked whether the Government had any plans to strengthen the national machinery for women by adopting the equality ombudsman system which had proved so effective in the Nordic countries. She also wished to know whether young women entering the labour market faced special difficulties because of the economic recession, and whether women could be given priority in hiring. It would also be helpful to know whether there were any plans to add enforcement measures to the Equal Opportunity Employment Law. With regard to article 11, she would appreciate knowing what measures the Government planned to adopt to improve the status of women who worked part-time, did not belong to labour unions and lacked social security, maternity and other benefits.

14. Ms. KHAN said that although Japan ranked second among the countries of the world in terms of development, from the standpoint of women's socio-economic status, Japan's ranking fell to fourteenth. Although women had long contributed to Japan's economic development, they still faced significant discrimination, as was evident from the results of the opinion poll concerning gender equality conducted in 1992.

15. Unlike most developed countries, Japan had a very tradition-bound society. As indicated in document CEDAW/C/JPN/3, men spent one tenth of the time spent by women on household work and, in the case of working women, the gap was even wider. Sex-role stereotypes were still very pervasive. She wondered whether adequate measures were being taken to eliminate sex biases in education and in the media. She also wished to know whether the measure requiring boys to take home-economics courses had brought about any change in attitudes.

16. With regard to article 6, documents CEDAW/C/JPN/2 and 3 both stated that prostitution was illegal in Japan and that measures to prevent prostitution and to protect and rehabilitate prostitutes were in place. Document CEDAW/C/JPN/3 made a passing reference to prostitution involving foreign women, but threw very

little light on the measures taken to prevent their exploitation. The Committee was greatly concerned at the fact that immigrants, especially illegal immigrants, often fell prey, because of their vulnerable status, to organized prostitution.

17. The counter-report submitted by a group of Japanese women refuted the official claims, pointing out that the sex industry in Japan was booming and had an annual turnover of 10 trillion yen, and that a decrease in the number of arrests for sex-related offences did not necessarily mean that prostitution had diminished. In that connection, she wished to know whether there were a number of criminal gangs which thrived on the exploitation of women by prostitution, whether such gangs were patronized by any political parties or large corporations and whether any legal measures existed for the prosecution of such gangs. She would also welcome information on whether the custom of hiring geisha girls and "hostesses" still existed.

18. Turning to article 8, she noted that, following the adoption of the Equal Employment Opportunity Law, many companies were endeavouring to improve recruitment methods (CEDAW/C/JPN/3, p. 28). However, the counter-report alleged that the Law was not enforced, and that companies were using indirect tactics to keep women out. It was also unclear from the Government's report whether employers could be penalized under the Law if discrimination could be proved.

19. The critical issue of equal pay for equal work had not been dealt with adequately in document CEDAW/C/JPN/3. While the report stated that wage discrimination based on sex was prohibited, it was well known that in Japan women usually earned lower wages than men for comparable work. The counter-report cited a number of examples of women earning 40 per cent of men's wages. She would appreciate information on the practical steps being taken by the Government, other than awareness-raising and publicity campaigns, to make the Equal Opportunity Employment Law more effective in Japan.

20. Lastly, she wished to know the percentage of women in senior Government posts, and whether any measures were contemplated to increase the number of women in the private sector holding the rank of chief executive officer.

21. Ms. AOUIJ said that Japan had embarked on a new era in the promotion of women's rights, as shown by the numerous appointments of women to ministerial and other senior Government posts. Having made a long-standing contribution to the economic development of their country, Japanese women would now be fully involved in its political development. It was to be hoped that Japan would be able to overcome the obstacles mentioned with regard to employment and some forms of exploitation.

22. The ageing of the population, the lowering of the birth rate and the increase in the number of women in the workforce would compel Japan to enact legislation on behalf of the family. The Committee hoped that parental leave, which was currently under discussion in Parliament, would be adopted as soon as possible, as well as other measures to enhance the private lives of Japanese women, as there was a close link between public and private life.

(Ms. Aouij)

23. Japanese women's organizations were making an impressive contribution, especially in the area of sex-role stereotyping. Pornography, which had become a growth industry, was detrimental to women's dignity and equality and aroused sexist attitudes. It was to be hoped that the Government would change its views regarding sex education in the schools. Textbooks should be revised so as to deal clearly with sex discrimination; that would enable the Government and political leaders to combat all forms of inequality at their source, namely, in childhood.

24. Ms. BRAVO de RAMSEY said that Japan was one of the world's leading countries in the areas of technology and production; however, material achievements must not take precedence over the supreme values of humanity. She invited the Japanese Government and people to participate in a dialogue with women's organizations and to meet their demands for justice. In addition, sex tourism involving women from neighbouring Asian countries should be investigated and eliminated.

25. She would appreciate clarification of the indication in document CEDAW/C/JPN/3 that divorce had been increasing since 1990, especially among long-married couples. It would also be helpful to know whether the decrease in the number of women aged 30 to 44 in the workforce, some of whom were leaving their jobs in order to marry and raise children, was the result of any governmental initiative.

26. She would be grateful for information concerning the factors which impeded higher numbers of women from attaining management positions in industry, and any measures taken by the Government to reduce the wage gap between men and women.

27. Lastly, she wished to know whether any steps were being taken to shorten the work week to 40 hours. In her country, Ecuador, where the work week was currently 40 hours, a proposal had been introduced to lengthen it so as to bring it into line with the number of hours worked weekly in Japan.

28. Ms. LIN Shangzen noted that Japan was one of the countries in which the United Nations Decade for Women and the Convention had clearly had an impact, especially in the area of legislation. It was to be hoped that the Government's next report would show an improvement in the status of women, particularly with regard to economic equality.

29. Ms. MATSUBARA (Japan), referring to the issue of sex tourism, said that in March 1981, the Council on Measures to Prevent Prostitution had requested the Prime Minister to take steps to eliminate organized tours which exploited prostitution in other countries. Accordingly, in 1982, the Government had amended the Travel Agency Law and had prohibited travel agents or their assistants from advertising or promoting illegal activities in foreign countries.

30. All forms of prostitution were illegal in her country. Her Government was increasing its efforts to eliminate illicit work. Thorough immigration procedures had been established to prevent foreigners from entering Japan in

(Ms. Matsubara, Japan)

order to engage in prostitution. Her Government, while seeking cooperation with other countries on that issue, was aware that illegal immigrants had human rights and was therefore endeavouring to protect them. The Women's Guidance Home provided emergency services to foreign women who might have been forced to work as prostitutes before referring them to an immigration office.

31. The findings of the Government study on the subject of "comfort women" during the Second World War had been announced in August 1993. The Government had once again extended its sincere apologies to all those who had suffered immeasurable pain and incurable physical and psychological wounds as a result of having been forced to be "comfort women". On the matter of reparations and claims, her Government's response had been sincere and in conformity with the San Francisco peace treaty and other relevant treaties.

32. On the question of wage differentials between men and women, she said that length of service was only one of several factors, by which wages were determined in Japan, and therefore it could not be said that the seniority system discriminated against women. Attaining de facto gender equality in employment would require more support services, including child care, which would allow women to tailor their work patterns to suit their needs. Also, women needed greater opportunities for the full development of their abilities through vocational training. With regard to career tracking, she said the career-tracking system in Japan was used as a personnel-management tool to assess and categorize employees on the basis of their personal ambitions, abilities and aptitudes. In itself, the system was not discriminatory; it permitted a female employee to select her career by herself on the basis of her individual needs. However, she was aware that in practice, some companies had used the system in a selective manner and for that reason the Ministry of Labour had set out guidelines to assist companies in revising their practices with respect to the career-tracking system.

33. On the question of part-time employment, Japan believed that part-time work was an indispensable form of employment for both workers and employers. The number of part-time workers in Japan had risen and was likely to increase further in the future. Part-time workers in Japan were covered by the Labour Standards Law and a new law on the improvement of employment management practices, which took effect in 1993.

34. On the question of fixed quotas as a means of affirmative action to eliminate discrimination against women, Japan believed that such measures should take into account the particular situation prevailing in the country. With respect to the status of Japan's marriage law, she said that the Legislative Council was in the process of considering revisions to the Law which would include a six-month waiting period before remarriage after termination of a marriage. Once the drafting process had been completed, the Council would solicit the views of persons concerned.

35. The Government of Japan held the view that the question of children born out of wedlock was not related to the Convention. In view of the legal

(Ms. Matsubara, Japan)

implications involved and considering the need to protect the rights of both the legitimate family and the children concerned, the matter should be reviewed carefully.

36. Japan believed it was important to consider the views of non-governmental organizations in the formulation of Government policies on women's issues. Also, the Government of Japan was committed to promoting the goals of women in development. Her Government had undertaken a variety of initiatives with a view to promoting international cooperation in that field.

37. The CHAIRPERSON said that, while Japan clearly had been making a serious effort to promote the goals of the Convention, it needed to take steps to ensure that the recession did not unduly affect Japanese women, especially in matters relating to employment. In addition, Japan needed to establish closer relations with non-governmental organizations.

STATEMENT BY THE COORDINATOR FOR WOMEN'S AFFAIRS OF THE UNITED NATIONS EDUCATIONAL, SOCIAL AND CULTURAL ORGANIZATION (UNESCO)

38. Ms. TAMZALI, (Coordinator for Women's Affairs of UNESCO) said that over the past six years she had seen the Committee sharpen its focus, as it had sought to separate the rights of women from the more general category of "human rights". The concept of women's rights had expanded to encompass a number of fundamental freedoms relating to the economic and social status of women. UNESCO stood ready to assist the Committee in whatever manner the Committee should require, including financially, and it looked forward to working with members of the Committee on questions relating to violence against women and the promotion of political participation by women at all levels.

The meeting rose at 11.30 a.m.